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ON March 17, 2004

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Attorney Docket No.: P50523-C2

DATE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Marquis et al.

July 14, 2002

Serial No.:

09/836,586

Group Art Unit: 1624

Filed:

April 17, 2001

Examiner: T. Truong

For:

INHIBITORS OF CYSTEINE PROTEASE

Assistant Commissioner for Patents Washington, D.C. 20231

#### **COMMUNICATION**

Dear Sir:

Applicants request a review of extension of time fees paid in the above-identified application for clarification of the record and the following reasons.

Due to an inadvertent error, documents directed to the above identified application and a new corresponding co-pending continuation application were mailed on two different dates.

In particular, a two (2) month shortened statutory extension of time under 37 C.F.R. § 1.17 was filed in the above-identified application, Serial No. 09/836,586 with a corresponding postcard and mailed with the U.S. Post Office on February 26, 2004 (copy of U.S.P.T.O. stamped postcard receipt attached).

Also on February 26, 2004, applicants placed in the corporate mail an Express Mail envelope containing a copy of a co-pending continuation application of Serial No. 09/836,586, a corresponding Preliminary Amendment, and other documents (i.e., including copies of an Information Disclosure Statement, and a copy of the Declaration and Power of Attorney from the above-identified parent application). A postcard enclosed with this Express Mail package indicated a mailing date of February 26, 2004, as acknowledged by a U.S.P.T.O. date stamp (copy of U.S.P.T.O. stamped postcard receipt attached).

However, due to an inadvertent error, the Express Mail package containing the copy of the co-pending continuation application and corresponding materials was not mailed on February 26, 2004, but was mailed on February 27, 2004 by the GlaxoSmithKline corporate mail room (attached copies of U.S. Post Office Track & Confirm and Express Mail receipts).

U.S. Serial No. 09/836,586 Group Art Unit: 1624

In light of the foregoing, applicants believe that the proper fee should reflect a three

- (3) month statutory extension of time fee (\$950.00 US dollars), instead of the authorized two
- (2) month statutory extension of time fee (\$420.00 US dollars).

If any additional fees or charges are required authorization is hereby granted to charge any necessary fees to Deposit Account No. 19-2570 accordingly.

Should the Examiner or U.S.P.T.O. personnel have any questions or wish to discuss any aspect of this case, please call the undersigned attorney at the number below.

Respectfully submitted,

Grace C. Hsu

Attorney for Applicant Registration No. 51,336

GLAXOSMITHKLINE Corporate Intellectual Property-UW2220 P.O. Box 1539 King of Prussia, PA 19406-0939 Phone: (610) 270-4650 Fax: (610) 270-5090

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